

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael A. Cofield on 01/13/2009.

The application has been amended as proposed in the amendment received on 01/13/2008:

Please see the attached proposed amendment.

***Allowable Subject Matter***

2. Claims 57-61, 66, 68, 70 and 71 are allowed. The prior art failed to teach the limitation of the circuitry configured to determine a difference between the extracted timestamp and the identified receipt time; and the circuitry configured to piggyback the determined difference in an unused field of a packet expiration notice that is generated for expired packets, the packet expiration notice corresponding to the expired packet, wherein the network processing device utilizes the packet expiration notice for communicating the determined difference back to an originating source of the corresponding packet, as recited in claim 57.

The prior art failed to teach the limitation of the circuitry configured to extract a determined time difference from the packet expiration notice, the determined time difference based on one of the timestamps, wherein the determined difference represents a one way trip time used by the correlated transmitted packet to travel from the apparatus to an intermediary node that generated the packet expiration notice, as recited in claim 66.

The prior art failed to teach the limitation wherein the circuitry is configured to determine a difference between the extracted receive time value and the correlated transmission time information to identify a one way travel time for the corresponding packet to travel from the apparatus to the intermediary node, as recited in claim 68.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAN YUEN whose telephone number is (571)270-1413. The examiner can normally be reached on Monday-Friday 10:00a.m-3:00p.m EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky O. Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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